



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen Gyor, Case Manager
Joel Lawson, Associate Director Development Review

DATE: July 10, 2012

SUBJECT: BZA Case 18377 - request for special exception relief under § 223 to construct an addition to an existing detached single-family dwelling at 2938 Macomb St. NW.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 403.2 Maximum Lot Occupancy (40% maximum permitted; 50% by Special Exception; 44.6% proposed);
- § 405.9 Minimum Side Yard Setback (8 ft. required, 3 ft. proposed); and¹
- § 2001.3 (non-conforming structure).

OP notes that the existing lot is nonconforming for lot width (50 ft. required, 41.25 ft. existing).

II. LOCATION AND SITE DESCRIPTION:

Address:	2938 Macomb St. NW
Legal Description:	Square 2084, Lot 825
Ward:	3
Lot Characteristics:	The rectangular lot has an area of 5,156.25 square feet. It is 41.25 feet wide along the Macomb Street frontage.
Zoning:	R-1-B
Existing Development:	Single-family detached dwelling, permitted in this zone.
Historic District:	Cleveland Park Historic District
Adjacent Properties:	Adjacent properties primarily include single-family detached dwellings to the east and west (see Figures 1 and 2). National Park Service property and a 21-acre estate are located to the rear.
Surrounding Neighborhood Character:	Predominantly single-family detached dwellings.

¹ Although the existing side yard is not being made smaller by this addition, the extent of non-conformity is being increased thus necessitating this request for relief.



III. PROJECT DESCRIPTION IN BRIEF

Applicant	Haley Kaufman and Jeff Alpher
Proposal:	<p>The proposal includes the addition of a rear and side covered porch to the southwest corner of an existing detached dwelling. A new stair would lead from a side door to the rear yard along the side of the property. With the exception of the side entryway, the remainder of the porch would be screened in.</p> <p>The Office of Planning worked with the applicant to refine the description of existing conditions and proposed requirements; however, the updated data does not impact the type of relief sought by the applicant.</p>
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats

IV. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed ²	Relief:
Height (ft.) § 400	40 ft. max.	NA	18 ft. (addition)	None required
Lot Width (ft.) § 401	50 ft. min.	41.25 ft.	41.25 ft.	None required
Lot Area (sq.ft.) § 401	5,000 sq.ft. min.	5,156.25 sq.ft.	5,156.25 sq.ft.	None required
Lot Occupancy § 403	40% (50% permitted by Special Exception)	31.5%	44.6%	Relief Required
Rear Yard (ft.) § 404	25 ft. min.	48 ft.	37 ft.	None required
Side Yard (ft.) § 405	8 ft. min.	3 ft. (west) 8 ft. (east)	3 ft. (west) 8 ft. (east)	Relief Required

V. OP ANALYSIS:

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

223.1 An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

Detached single-family dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of § 403.2 Maximum Lot Occupancy and § 405.9 Minimum Side Yard Setback.

² Information provided by applicant.

223.2 *The addition or accessory structure shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

(a) *The light and air available to neighboring properties shall not be unduly affected;*

The proposed porch addition is not anticipated to have an undue effect to the light and air of neighboring properties, including the properties to the east and west. The covered porch addition would be no taller than 18 feet as shown in the submitted plans. Furthermore, the addition would not decrease the existing non-conforming side yard on the west side and would not unduly affect the adjacent properties.



Figure 1: Subject Property



Figure 2: Subject Property

- (b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The covered porch addition would be similar in height to the decks and porches of neighboring properties and would be separated from the neighboring structures by 11.34 feet to the west and 18.5 feet to the east. The adjacent park property to the rear is comprised largely of woodlands and fields and its use would not be unduly compromised.

- (c) *The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and*

The proposed porch addition would be minimally visible from Macomb Street and would be in character with the existing streetscape. The Historic Preservation and Review Board determined that the rear porch is compatible in size, placement, and design with the historic district.

- (d) *In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.*

The applicant submitted graphical representations, including plans and photographs, to represent the relationship of the proposed addition to adjacent buildings.

- 223.3 *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

The proposed lot occupancy at 44.6% would exceed the permitted maximum lot occupancy of 40% in an R-1-B Zone but would conform to the 50% maximum permitted by special exception review pursuant to § 223.

- 223.4 *The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

OP does not suggest any other special treatment for this addition.

- 223.5 *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

VI. COMMUNITY COMMENTS

As of this writing, OP has received comments in support of the applicant from neighbors and ANC 3C.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

The Historic Preservation Review Board approved the concept design, finding no impact on the character of the house or the historic district. The Commission on Fine Arts had no objection.